

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
v.                             )                              Case No. 4:05CR3087  
                                )  
ROBERT SIMONES,             )  
                                )  
Defendant.                 )

**ORDER**

THIS MATTER comes before the Court on defendant's Unopposed Motion to Continue Trial, filing 24, for approximately 45 to 60 days after December 12, 2005. The Court, being fully advised in the premises, and noting that the government has no objection to said continuance, finds that said motion should be granted.

IT IS THEREFORE ORDERED that the defendant's trial shall be continued until January 30, 2006, at 9:00 a.m. The defendant is ordered to appear at said time. This Court further finds that, based upon the showing set forth in defendant's motion, the ends of justice will be served by continuing defendant's trial. Further, that taking such action outweighs the best interests of the public and the defendant in a speedy trial. Accordingly, the time from November 23, 2005, until January 30, 2006, shall be excludable time pursuant to 18 U.S.C. §3161(h)(8)(A).

Dated this 23<sup>rd</sup> day of November, 2005.

BY THE COURT

s/ *David L. Piester*  
David L. Piester  
United States Magistrate Judge